

STATE OF MAINE
PUBLIC UTILITIES COMMISSION

Docket No. 98-611

September 1, 1998

CENTRAL MAINE POWER V. JAMES L. BROWN III
Appeal of Consumer Assistance Division
Decision, Complaint # 5815

ORDER ON APPEAL

WELCH, Chairman; NUGENT, Commissioner

I. SUMMARY

In this Order, we uphold the Consumer Assistance Division's July 29, 1998 decision and dismiss Mr. Brown's complaint without further investigation.

II. DECISION

On August 4, 1998, James Brown III appealed a decision of Consumer Assistance Division (CAD) issued on July 29, 1998. Mr. Brown disputes his kWh usage for the months of January and February 1998 as billed by Central Maine Power Company (CMP). He questions whether power surges could cause additional kWhs to be registered by his meter. CMP tested his meter twice and found it to be operating properly. CMP also gave Mr. Brown a \$30 rebate when he continued to be dissatisfied. CAD found there was no evidence to show that the meter was defective or the billings inaccurate. Therefore, Mr. Brown is responsible for paying for the usage as billed.

We have reviewed CAD's decision and find that it reasonably address the issues raised by Mr. Brown. Therefore, we will not investigate this matter further and we dismiss the appeal.

Dated at Augusta, Maine this 1st day of September, 1998.

BY ORDER OF THE COMMISSION

Dennis L. Keschl
Administrative Director

COMMISSIONERS VOTING FOR: Welch
 Nugent

NOTICE OF RIGHTS TO REVIEW OR APPEAL

5 M.R.S.A. § 9061 requires the Public Utilities Commission to give each party to an adjudicatory proceeding written notice of the party's rights to review or appeal of its decision made at the conclusion of the adjudicatory proceeding. The methods of review or appeal of PUC decisions at the conclusion of an adjudicatory proceeding are as follows:

1. Reconsideration of the Commission's Order may be requested under Section 1004 of the Commission's Rules of Practice and Procedure (65-407 C.M.R.110) within 20 days of the date of the Order by filing a petition with the Commission stating the grounds upon which reconsideration is sought.
2. Appeal of a final decision of the Commission may be taken to the Law Court by filing, within 30 days of the date of the Order, a Notice of Appeal with the Administrative Director of the Commission, pursuant to 35-A M.R.S.A. § 1320 (1)-(4) and the Maine Rules of Civil Procedure, Rule 73 et seq.
3. Additional court review of constitutional issues or issues involving the justness or reasonableness of rates may be had by the filing of an appeal with the Law Court, pursuant to 35-A M.R.S.A. § 1320 (5).

Note:The attachment of this Notice to a document does not indicate the Commission's view that the particular document may be subject to review or appeal. Similarly, the failure of the Commission to attach a copy of this Notice to a document does not indicate the Commission's view that the document is not subject to review or appeal.